

Better Options for Kids Act

Background on the Need for Reform

The cost to states to incarcerate a single child for one year is huge. In Connecticut, it costs about \$134,000, and in Ohio, it cost \$123,000. In spite of these huge costs, studies have shown that longer incarceration of youth does not reduce recidivism and can even increase recidivism. Once incarcerated, these youth are less likely to graduate from high school, their income earning capacity is lower, and they are more likely to become entangled with the adult criminal justice system later in life. Even if they manage to avoid the adult criminal justice system, they are more likely to become reliant on government social programs as adults.

Worse, most of the youth referred to court system or incarcerated have not committed serious or violent crimes. In 2010, 63% of young people were incarcerated for committing nonviolent offenses, technical probation violations, and status offenses. Overly harsh school discipline for typical misconduct also leads to school failure and juvenile court involvement. Instead of unnecessary suspensions and expulsions, schools can use alternative options that help students succeed. Today, the juvenile crime rate is at a low point, and several states such as Connecticut, Ohio, Texas, and Mississippi have made huge strides in changing their state policies to cut youth incarceration and law enforcement referrals and replaced them with evidence-based solutions that have saved their states money while improving public safety and youth outcomes in the process. Connecticut has saved nearly \$12 million in anticipating spending as a result of its reforms, and Ohio spent over \$53 million less on juvenile facilities than it did 6 years ago.

Summary of the Legislation

This legislation will leverage existing federal funding streams already directed towards at-risk youth and reward states that have adopted policies to improve youth outcomes. It will also incentivize other states to adopt the same reforms. Through this legislation, community-based organizations that collaborate with state and local agencies would receive funding priority for certain Substance Abuse and Mental Health Services Administration (SAMHSA) grants if they demonstrate that their state has either achieved implementation of, or will use the funds at issue to achieve implementation of, the following evidence-based policies:

- Limiting court referrals for school-based non-criminal status offenses (truancy, curfew violations, for instance);
- Incentivizing school district to have clear guidelines regarding the arrest powers of school resource officers on school grounds;
- Providing training or funds training for school districts to use non-exclusionary discipline;
- Shifting funding formerly dedicated to secure detention for minors into community-based alternatives for incarceration; and
- Adopts a reentry policy for youth leaving correctional facilities that ensures educational continuity and success.

Organizations that Support the Better Options for Kids Act

Campaign for Youth Justice, Coalition for Juvenile Justice, Association of Prosecuting Attorneys, Youth Advocate Programs, Inc., National Association of School Psychologists, the Sentencing Project, Connecticut Juvenile Justice Alliance, Community Partners in Action, Center for Children's Advocacy, Regional Youth Adult Social Action Partnership, Connecticut Voices for Children, FSW Inc., Greater Hartford Legal Assistance, Connecticut Legal Services, AFCAMP, Keep the Promise Coalition, NAMI Connecticut, FAVOR.